

United States Court of Appeals
For the Eighth Circuit

No. 23-2145

United States of America

Plaintiff - Appellee

v.

James Ferman Chatman

Defendant - Appellant

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: September 1, 2023

Filed: September 7, 2023

[Unpublished]

Before GRUENDER, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

James Chatman received a 324-month prison sentence after he pleaded guilty to sex trafficking of a child. *See* 18 U.S.C. § 1591(a)(1), (b). As part of the plea agreement, he waived his right to appeal. An *Anders* brief suggests that the waiver

is invalid and the district court¹ imposed a substantively unreasonable sentence. *See Anders v. California*, 386 U.S. 738 (1967).

Upon careful review, we conclude that the appeal waiver is enforceable. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing the validity of an appeal waiver de novo); *United States v. Andis*, 333 F.3d 886, 889–92 (8th Cir. 2003) (en banc) (explaining that an appeal waiver will be enforced if the appeal falls within its scope, the defendant knowingly and voluntarily entered into the plea agreement and the waiver, and enforcing the waiver would not result in a miscarriage of justice). We have also independently reviewed the record and conclude that no other non-frivolous issues exist. *See Penson v. Ohio*, 488 U.S. 75, 82–83 (1988). We accordingly dismiss the appeal and grant counsel permission to withdraw.

¹The Honorable Robert F. Rossiter, Jr., Chief Judge, United States District Court for the District of Nebraska.